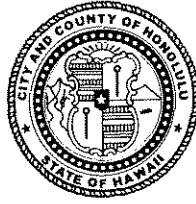


DEPARTMENT OF THE CORPORATION COUNSEL
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 110 • HONOLULU, HAWAII 96813
TELEPHONE: (808) 768-5193 • FAX: (808) 768-5105 • INTERNET: www.honolulu.gov



MUFI HANNEMANN
MAYOR

CARRIE K.S. OKINAGA
CORPORATION COUNSEL

DONNA M. WOO
FIRST DEPUTY CORPORATION COUNSEL

September 23, 2008

The Honorable Barbara Marshall, Chair
and Members of the City Council
City and County of Honolulu
Honolulu, Hawaii 96813

RECEIVED

SEP 23 10 17 AM '08

CITY CLERK
HONOLULU, HAWAII

Dear Council Chair Marshall and Councilmembers:

Re: Bill No. 47 (2008) – Unilateral Agreement and Declaration for Conditional
Zoning for Ewa Zone Change (Makaiwa Hills) (2008/Z-1)

This letter is to advise you that the above-referenced Unilateral Agreement and Declaration for Conditional Zoning (hereinafter called the "Unilateral Agreement," a copy of which is attached) has been recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 3788456.

The recordation is required by Section 21-2.80, Revised Ordinances of Honolulu 1990, as amended. We have reviewed the property description and data attached to the Unilateral Agreement and conclude that the Unilateral Agreement has been recorded in the appropriate recording system (Land Court), that the property description is complete, and that the document has been signed by the proper parties.

In view of the above, we conclude that the Unilateral Agreement has been appropriately recorded as required by Section 21-2.80, Revised Ordinances of Honolulu 1990, as amended, and the Council may consider further action on Bill 47 (2008), as it deems appropriate.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Don S. Kitaoka".

DON S. KITAOKA
Deputy Corporation Counsel

APPROVED:

A handwritten signature in dark ink, appearing to read "Carrie K.S. Okinaga".
CARRIE K.S. OKINAGA
Corporation Counsel

DSK:ml
Attach.

DEPT. COM. 728

OFFICE OF THE
ASSISTANT REGISTRAR, LAND COURT
STATE OF HAWAII
(Bureau of Conveyances)

The original of this document was
recorded as follows:

DOCUMENT Doc 3788456
CTN AS LISTED HEREIN
DATE SEP 11, 2008 03:29 PM

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL () PICKUP () TO:

Imanaka Kudo & Fujimoto
745 Fort Street, 17th Floor
Honolulu, Hawaii 96813
Attn: Benjamin A. Kudo, Esq.

Tax Map Key Nos. (1) 9-1-015:005, (1) 9-1-015:017,
(1) 9-2-003:087, (1) 9-2-003:092, (1) 9-2-003: por. 089

Certificate of Titles 890,339, 792,995, 825,917, 839,022,
792,997

Agreement No. A02099000

Title of Document: Unilateral Agreement and Declaration for
Conditional Zoning

Party to Document: MAKAIWA HILLS LLC, a Delaware Limited
Liability Company, 1001 Kamokila Boulevard,
Suite 250, Kapolei, Hawaii 96707

**UNILATERAL AGREEMENT AND
DECLARATION FOR CONDITIONAL ZONING**

THIS INDENTURE (hereinafter referred to as this "Unilateral Agreement" or this "Declaration"), made this 11th day of September, 2008, by MAKAIWA HILLS LLC, a Delaware limited liability company, and its successors and assigns, whose address is 1001 Kamokila Boulevard, Suite 250, Kapolei, Hawaii 96707 (hereinafter referred to as the "Declarant"),

WITNESSETH:

WHEREAS, the Declarant is the owner in fee simple of certain parcels of land situated in Ewa, Oahu, Hawaii, consisting of approximately 1,781 acres, described as Tax Map Key ("TMK") Nos. (1) 9-1-015:005, (1) 9-1-015:017, (1) 9-2-003:087, (1) 9-2-003:092, and (1) 9-2-003: por. 089, and more particularly described by metes and bounds in **Exhibit "A"** attached hereto and made a part hereof, and also described by Land Court lot in **Exhibit "C"** attached hereto and made a part hereof (the "Land"), and desires to make the Land subject to this Unilateral Agreement; and

WHEREAS, the Declarant plans to develop a mixed use residential community, known as Makaiwa Hills, with supporting commercial, infrastructure, educational, recreational and open space land uses on the Land (the "Project") with approximately 4,100 residential units; and

WHEREAS, the City Council (the "Council") of the City and County of Honolulu (the "City"), pursuant to the provisions of the Land Use Ordinance ("LUO"), Revised Ordinances of Honolulu 1990 ("ROH") Section 21-2.80, as amended, relating to conditional zoning, is considering a change in zoning under the LUO of the Land from the AG-1 Restricted District and AG-2 General Agricultural District to the R-20, R-10, R-7.5 and R-5 Residential Districts, A-1 Low Density Apartment District, AMX-1 Low Density Apartment Mixed Use District, AMX-2 Medium Density Apartment Mixed Use District with 60-foot height limit, BMX-3 Community Business Mixed Use District with a 60-foot height limit, and P-2 General Preservation District (Department of Planning and Permitting ("DPP") File No. 2008/Z-1); and

WHEREAS, a public hearing regarding the change in zoning, Bill 47 (2008), was held by the Council on August 20, 2008; and

WHEREAS, the Council recommended by its Zoning Committee Report No. 264 (2008) that the said change in zoning be approved, subject to the following conditions contained in this Declaration to be made pursuant to the provisions of ROH Section 21-2.80, as amended, relating to conditional zoning, and to become effective on the effective date of the zoning ordinance approving the change of zoning (the "Rezoning Ordinance");

NOW, THEREFORE, the Declarant hereby covenants and declares as follows:

1. **Urban Design Plan.** The Declarant shall prepare an Urban Design Plan ("UDP") that defines the overall community design framework, including Project concept and themes. The UDP shall include a Master Plan showing the following major Project components:
 - a) Circulation Plan that promotes connectivity and access, showing the pattern and hierarchy of roadways, typical cross sections, proposed transit locations, pedestrian and bike path system, and mauka trail access;
 - b) Landscape Plan showing treatment of Project entries, major roadways, and common areas; and
 - c) Project Design Review Procedures. In addition, the UDP shall also address visual impacts from Farrington Highway on the Project's southern boundary.

For the apartment mixed use and business mixed use districts, site development standards and design guidelines shall be provided. The UDP shall be reviewed and approved by DPP prior to any subdivision approval. The Declarant shall comply with the approved UDP.

2. **Meeting Facilities.** The Declarant shall make available for sale a minimum of 2.0 acres of land within the Project for the development of meeting facilities. The Declarant shall identify the location of the site(s) and organizations to be contacted prior to sales offering. If there is no buyer by the time the last Project increment is constructed, the site(s) may be used for other purposes.
3. **Day Care Facility.** The Declarant shall provide a minimum of 1.0 acre of land within the Project in fee

simple for the development of a day care facility with a minimum design capacity for 100 individuals. The Declarant shall enter into a contribution agreement with the Department of Community Services prior to residential cluster, residential subdivision, or residential building permit approval, whichever comes first.

4. **Future Land for Government Purposes.** Declarant shall dedicate or cause to be conveyed to the City and County of Honolulu approximately 10.1 acres of land situated in the City of Kapolei (TMK (1) 9-1-16: por. 001 & (1) 9-1-16: por. 122) and as more particularly described in **Exhibit "B"**, attached hereto and made a part hereof, for public purposes. Within five (5) years from the first grant of final subdivision approval in the Project, Declarant shall dedicate the site to the City.
5. **Disclosure.** The Declarant shall inform all prospective purchasers or lessees of single-family and multi-family dwellings in the Project of all of the potential noise, odor, dust, and adverse effect from the adjacent agriculture area and from Waimanalo Gulch landfill operation.

The disclosure shall be made through a Disclosure Document acceptable in form and content to the DPP and the Corporation Counsel. The Disclosure Document shall be signed by the purchaser or lessee as an affirmative acknowledgement of the potential impacts. All disclosures shall be included in any deed or lease of residential property and any applicable Declaration of Covenants, Conditions and Restrictions, and shall be recorded so as to run with the land of the affected property. The form, content, and manner of recordation of the disclosures shall be approved by the DPP and the Corporation Counsel prior to building permit approval.

6. **Environmental Response Law.** Prior to the issuance of the first grading or building permit, the Declarant shall submit to the DPP, written confirmation from the State of Hawaii Department of Health ("SDOH") that the Project is not required to meet, has met, or is

meeting requirements of Chapter 128D, HRS, Environmental Response Law, and applicable rules.

7. **Affordable Housing.** Prior to residential cluster approval, residential small lot subdivision approval, or residential building permit approval, whichever comes first, the Declarant will execute an agreement to participate in an affordable housing plan acceptable to the DPP in accordance with adopted rules. The agreement shall provide for no less than the equivalent of 20 percent (20%) of the units to be delivered to households with incomes up to and including 120 percent (120%) of the median income levels or less; and no less than the equivalent of 10 percent (10%) of the units to be delivered to households with incomes up to and including 80 percent (80%) of the median income level or less, for a total of 30 percent (30%) of units built to be qualified as affordable housing. Fifty percent (50%) of the units delivered to households with incomes up to and including 80 percent (80%) of the median income level or less shall be delivered as rental units. The agreement may include the provision of onsite or offsite affordable housing, or payment of a fee in lieu of providing affordable housing. "Median income level" means the median income for Honolulu, adjusted for family size, as determined by the U.S. Department of Housing and Urban Development.

The affordable housing plan may include the use of 115 credits, for households with incomes up to and including 80 percent (80%) of median income or less, representing existing affordable housing units located offsite in the Kunia Plantation Village provided a deed restriction that 115 Kunia Plantation Village units will remain affordable is recorded, fire safety infrastructure improvements in the Village are completed and the approval of a Zoning Variance to conform the existing units to LUO density standards is granted.

8. **Drainage.** The Declarant shall carry out the following requirements related to drainage for the Project area:
 - a. The Declarant along with the declarants of the Kapolei West project (DPP File No. 2008/Z-2) and

Kapolei Harborside project (DPP File No. 2008/Z-3) shall prepare and submit a drainage master plan for the region (hereafter referred to as "Regional Drainage Master Plan"), for review and approval by DPP;

- b. The Regional Drainage Master Plan shall: include and identify drainage areas and the major drainage infrastructure requirements for the entire watershed; establish and identify the design discharges at the bottom of each development; establish and identify the regional drainage improvements; include an implementation schedule for the construction of said regional drainage improvements and identify the party responsible for the construction of each component of said regional drainage improvements.
- c. The Declarant must have an approved Regional Drainage Master Plan prior to the issuance of any tentative subdivision approvals for the Makaiwa Hills (2008/Z-1), Kapolei West (2008/Z-2) and Kapolei Harborside (2008/Z-3) projects.
- d. The Declarant shall submit a drainage master plan for the Project ("Project Drainage Master Plan") for approval by the DPP prior to issuance of tentative subdivision approval. The Project Drainage Master Plan shall be consistent with the approved Regional Drainage Master Plan and shall be amended if needed, as the approved Regional Drainage Master Plan is amended. The Project Drainage Master Plan shall identify the proposed drainage improvements, including the drainage areas, size of the drainage facilities and the design discharges. The Project Drainage Master Plan shall also include an implementation schedule for the regional drainage improvements in relation to the development of the various phases of the Project.
- e. The Regional Drainage Master Plan and Project Drainage Master Plan approved by the DPP Director shall not be revised or otherwise modified without the express written approval of the DPP Director.

- f. The Declarant shall comply with the approved Regional Drainage Master Plan and Project Drainage Master Plan.
- 9. **Fire Station.** The Declarant shall dedicate to the City a minimum of 1.5 acres of land within the Project for the development of a fire station. The Declarant shall enter into a contribution agreement with the Honolulu Fire Department and the Department of Design and Construction ("DDC"), prior to residential cluster, residential subdivision, or residential building permit approval, whichever comes first.
- 10. **Fire Plan.** The Declarant shall implement and maintain the fire plan approved by the State Department of Land and Natural Resources, Division of Forestry and Wildlife ("DOFAW"). Any amendments to the plan shall be approved by DOFAW, with a copy filed with DPP.
- 11. **Civil Defense Warning System.** The Declarant shall install the civil defense warning system improvements, as determined necessary by the Department of Emergency Management ("DEM"). The Declarant shall submit a construction phasing schedule for the warning system, improvements to DEM for review and approval prior to subdivision approval (except those for bulk lot purposes).
- 12. **Park Master Plan.** The Declarant shall submit a master plan for park development to the DDC and Department of Parks and Recreation for review and approval. The plan shall include the timetable for dedication of park lands to the City, and shall be approved prior to tentative subdivision approval. The Declarant shall comply with the approved park master plan.
- 13. **Traffic.** The Declarant shall carry out the following requirements related to traffic and transportation improvements for the Project area:
 - a. The Declarant shall execute the Master Kapolei Highway Agreement ("MKH") or receive written consent from the State Department of Transportation ("DOT"), as proposed in the DOT letters to DPP dated November 30, 2007 (HWY-PS

2.6445) and April 21, 2008 (HWY-PS 2.7783), prior to subdivision or conveyance of any portion or property interest in the Makaiwa Hills (2008/Z-1), Kapolei West (2008/Z-2), or Kapolei Harborside (2008/Z-3) projects. The Declarant shall file copies of the executed MKH and any amendments thereto with the DPP.

- b. The Declarant shall prepare and receive approval for an updated Traffic Impact Analysis Report ("TIAR") and roadway master plan for the Project area prior to the issuance of tentative subdivision approval; provided that, said approval shall be limited to a determination of whether the updated TIAR provides an adequate discussion, analysis, and recommended mitigation measures, if any, based upon reasonably anticipated traffic impacts generated by the Project. The TIAR shall further refine and identify traffic impacts and associated mitigation measures directly attributable to vehicular rates being generated by the Project. The TIAR shall include but not be limited to, locations warranting traffic signals, provisions for auxiliary turn lanes and lengths, channelized right turn lanes, size of pedestrian islands, a timeline identifying the anticipated start and completion dates of major Project phases and associated roadway improvements and other considerations related to traffic, as required. The Declarant shall consult with the DPP, Department of Transportation Services ("DTS"), and DOT prior to submitting the TIAR and roadway master plan to the DPP for review and approval.
- c. The Declarant shall prepare and receive approval for a Construction Management Plan ("CMP") prior to the issuance of grading or demolition permits and shall identify the type, frequency, and route of heavy trucks and construction-related vehicles traversing in and around the construction site, as it relates to the use of any public street. Every effort shall be made to limit and minimize impacts from these vehicles and the associated construction activities. The CMP shall include provisions to limit vehicle activity to periods

outside of the peak periods of traffic, utilizing alternate routes for heavy trucks, utilizing off-site parking areas for construction workers and other considerations related to traffic, as required. The Declarant shall consult with the DPP, DTS, and DOT prior to submitting the CMP to the DPP for review and approval. The Declarant shall comply with the approved CMP.

- d. The Declarant and/or the assigned responsible party shall prepare and receive approval for a transportation master plan ("TMP") for the Project area prior to the issuance of tentative subdivision approval, which incorporates various modes of travel, including transit, vehicle, bicycle and pedestrian. The TMP should be designed to establish and promote a safe and efficient balance between the various travel modes, such as grade separated bicycle and pedestrian facilities, convenient and centrally located transit stops and terminals, traffic calming devices and other transportation elements, as necessary. The TMP should incorporate traffic demand management ("TDM") strategies in an effort to reduce the overall vehicular trip demand in and around the Project area. The TDM strategies could include opening commercial properties during the early stages of the development in an effort to increase internal capture within the site and other TDM strategies. The TMP, along with the TDM strategies, should be updated periodically every two (2) years or as otherwise determined by a phasing plan until build out, in part, to determine the relative effectiveness of the TDM strategies. The Declarant shall consult with the DPP, DTS, and DOT prior to submitting the TMP to the DPP for review and approval. The Declarant shall comply with the approved TMP.
- e. The Declarant shall fund, construct, or cause to be constructed, its fair share of roadway improvements to mitigate Project impacts directly attributable to the Project as described in the TIAR, and supplemental updates as may be required by State and City transportation agencies. These

improvements shall be completed in accordance with the anticipated time frames set forth in the approved TIAR.

14. **Water Master Plan.** The Declarant shall submit a potable and non-potable water master plan and implementing schedule for the water improvements required for the development of the Project. The master plan shall be approved by the Board of Water Supply ("BWS") prior to subdivision approval, except those for bulk lot purposes. The Declarant shall comply with the water master plan and implementing schedule. Any amendments to the plan shall be approved by BWS, with a copy filed with DPP.
15. **Solar Water Heating Systems.** Single-family homes within the Project shall be constructed with solar water heating systems consistent with the provisions set forth in Act 204 enacted by the 2008 Hawaii State Legislature or subsequent legislation superseding Act 204 or amending said provisions.
16. **Noncompliance With Any Conditions.** In the event of noncompliance with any of the conditions set forth herein, the Director of DPP shall inform the Council and may seek civil enforcement or take appropriate action to terminate or stop the Project until applicable conditions are met, including but not limited to revoking any permits issued under this zoning and withholding issuance of other permits related to the Project. Noncompliance also may be grounds for the enactment of ordinances making further zone changes, including revocation of the underlying zoning, upon initiation by the proper parties in accordance with the Revised City Charter.
17. **Compliance with Other Governmental Requirements.** The Declarant acknowledges that approval of this zone change does not constitute compliance with other LUO or governmental requirements. They are subject to separate review and approval. The Declarant should be responsible for ensuring that the final plans for the Project comply with all applicable LUO and other governmental provisions and requirements.
18. **Annual Report.** On an annual basis, the Declarant should submit a written status report to the DPP

documenting its satisfaction of and/or describing its progress toward complying with each condition of approval for this zone change. The status report should be submitted to the DPP by December 31 of each year until such time as the DPP has determined that all conditions of approval have been satisfied. If a status report is not submitted within the time specified, the DPP may defer the processing of permits until a status report is submitted.

NOW, THEREFORE, the Declarant hereby makes the following additional Declarations:

As used herein, any references to a specific City department or agency shall be deemed to include a reference to any successor department or agency;

That the conditions imposed herein are reasonably conceived to fulfill public service demands created by the requested change in zoning and are rationally related to the objective of preserving the public health, safety, and general welfare and the further implementation of the General Plan of the City;

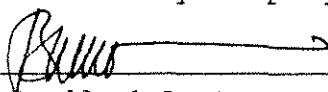
That the development of the Land shall conform to the aforesaid conditions with the understanding that, at the request of Declarant and/or upon the satisfaction of the conditions set forth in this Unilateral Agreement, DPP may fully or partially release, as applicable, any of the foregoing conditions that have been fulfilled;

That, if there are any conflicts between this Unilateral Agreement and any previous unilateral agreement(s) applicable to the Land, the terms and conditions of this Unilateral Agreement shall apply; and

THAT IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed in this Declaration shall run with the Land and shall bind and constitute notice to all the parties hereto and subsequent lessees, grantees, assignees, mortgagees, lienors, successors, and any other persons who have or claim to have an interest in the Land, and the City shall have the right to enforce this Declaration by rezoning, appropriate action at law or suit in equity against all such persons, provided that Declarant or its successors and assigns may file a petition with DPP for amendment or removal of any conditions or termination of

IN WITNESS THEREOF, this Unilateral Agreement and Declaration for Conditional Zoning is executed on the day and year first above written.

MAKAIWA HILLS LLC, a Delaware limited liability company

By 
Bradford J. Myers

Its Manager

By 
Rodney F. Stone

Its Manager

("DECLARANT")

APPROVED AS TO FORM:

Imanaka Kudo & Fujimoto

Attorneys for MAKAIWA HILLS LLC

this Declaration, such petition to be processed in the same manner as petitions for zone changes.

IN WITNESS THEREOF, this Unilateral Agreement and Declaration for Conditional Zoning is executed on the day and year first above written.

MAKAIWA HILLS LLC, a Delaware
limited liability company

By _____

Its _____

By _____

Its _____

("DECLARANT")

APPROVED AS TO FORM:

Imanaka Kudo & Fujimoto



Attorneys for MAKAIWA HILLS LLC

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of San Diego

On 9/9/08 before me, Stefanie Ann Juliet Greco, Notary Public
(here insert name and title of the officer)

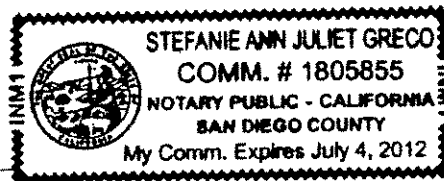
personally appeared Rodney F. Stone

who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ she/they executed the same in ~~his~~ her/their authorized capacity~~(ies)~~, and that by ~~his~~ her/their signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Stefanie Ann Juliet Greco
Signature of Notary Public



(Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Unilateral Agreement + Declaration
(Title or description of attached document)

for Conditional Zoning
(Title or description of attached document continued)

Number of Pages 1 Document Date 9/9/08

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☒ Individual ☒
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

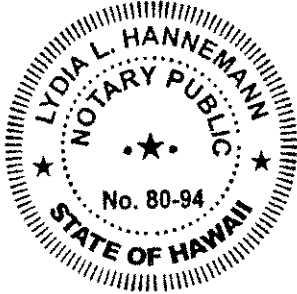
INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~ - is are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

STATE OF HAWAII)
) SS
CITY AND COUNTY OF HONOLULU)

On this 11th day of September, 2008, before me personally appeared Bradford J. Myers, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Lydia L. Hannemann
Name: Lydia L. Hannemann

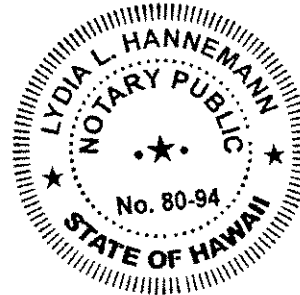
Notary Public, State of Hawaii

My commission expires: Feb. 11, 2012

Doc Date 9/11/2008 # Pages 39
Lydia L. Hannemann First Circuit
Doc Description Unilateral Agreement &
Declaration for Conditional Zoning

Lydia L. Hannemann 9/11/2008
Notary Signature Date

NOTARY CERTIFICATION



MAKAIWA HILLS BOUNDARY

LOT A

Being all of Lot 77-B-6 as shown on Map 141, Lot 4024 as shown on Map 406, Lot 16893 as shown on Map 1309 and Lot 17257 as shown on Map 1322 of Land Court Application 1069.

Situate at Honouliuli, Ewa, Oahu, Hawaii

Beginning at the West corner of this parcel of land, being the Northwest corner of Lot 4022-A-Z (Map 467) and the Easterly side of Lot 358-B-1-B1 (Map 191) of Land Court Application 1069, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUAI NEW", being 10,514.12 feet South and 17,199.64 feet West and running by azimuths measured clockwise from true South:

1. 225° 10' 1,265.95 feet along Lot 358-B-1-B-1 (Map 191) and Lot 5622 (Map 526) of Land Court Application 1069;
2. 205° 50' 54" 3,096.62 feet along Lot 4022-B (Map 438) of Land Court Application 1069;
3. 260° 20' 40.00 feet along Lot 359-A-4-B (Map 155) of Land Court Application 1069;
4. 170° 20' 40.00 feet along Lot 359-A-4-B (Map 155) of Land Court Application 1069;
5. 80° 20' 40.00 feet along Lot 359-A-4-B (Map 155) of Land Court Application 1069;
6. 198° 43' 885.21 feet along Lot 4022 B (Map 438) of Land Court Application 1069;
7. 239° 40' 1,499.99 feet along Lot 4022 B (Map 438) and Lot 359-A-3 (Map 140) of Land Court Application 1069;
8. 215° 00' 320.00 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
9. 191° 00' 445.00 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;

10.	213°	16'	227.20 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
11.	202°	32'	52.16 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
12.	157°	39'	78.26 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
13.	161°	59'	72.29 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
14.	172°	37'	41.58 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
15.	82°	37'	28.18 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
16.	149°	40'	307.81 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
17.	193°	39'	390.35 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
18.	191°	49'	40.90 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
19.	184°	28'	40.63 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
20.	172°	38'	117.48 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
21.	262°	38'	50.00 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
22.	190°	30'	195.35 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;
23.	146°	15'	17.64 feet along Lot 359-A-3 (Map 140) of Land Court Application 1069;

24. Thence along Lot 16892 (Map 1309) of Land Court Application 1069 on a curve to the right with a radius of 235.00 feet, the chord azimuth and distance being:
264° 46' 48" 59.41 feet;
25. Thence along Lot 17258 (Map 1322) of Land Court Application 1069 on a curve to the right with a radius of 235.00 feet, chord azimuth and distance being:
264° 46' 46" 136.14 feet;
26. 281° 37' 16.76 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
27. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 190.00 feet, the chord azimuth and distance being:
302° 54' 137.93 feet;
28. 324° 11' 115.31 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
29. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 410.00 feet, the chord azimuth and distance being:
321° 31' 30" 38.03 feet;
30. 318° 52' 56.57 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
31. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 464.00 feet, the chord azimuth and distance being:
313° 14' 91.09 feet;
32. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 228.55 feet, the chord azimuth and distance being:
287° 35' 30" 156.40 feet;

33. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the left with a radius of 320.00 feet,
the chord azimuth and distance being:
237° 32' 320.48 feet;
34. 207° 29' 47.12 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
35. 297° 29' 40.00 feet along Lot 77-B-5 (Map 141) of Land
Court Application 1069;
36. Thence along Lot 77-B-5 (Map 141) of Land Court Application 1069, on a curve
to the left with a radius of 430.00 feet,
the chord azimuth and distance being:
202° 46' 70.72 feet;
37. 198° 03' 232.82 feet along Lot 77-B-5 (Map 141) of Land
Court Application 1069;
38. Thence along Lot 77-B-5 (Map 141) of Land Court Application 1069, on a curve
to the right with a radius of 205.00
feet, the chord azimuth and distance
being:
211° 04' 92.35 feet;
39. 134° 05' 40.00 feet along Lot 77-B-5 (Map 141) of Land
Court Application 1069;
40. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the right with a radius of 245.00
feet, the chord azimuth and distance
being:
232° 17' 30" 69.96 feet;
41. 240° 30' 8.76 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
42. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the right with a radius of 215.00
feet, the chord azimuth and distance
being:
289° 35' 30" 324.98 feet;
43. 338° 41' 95.84 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;

44. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 25.00 feet, the chord azimuth and distance being:
7° 56' 30" 24.44 feet;
45. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 80.00 feet, the chord azimuth and distance being:
356° 54' 30" 103.47 feet;
46. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 240.33 feet, the chord azimuth and distance being:
299° 33' 45" 140.97 feet;
47. 282° 30' 30" 52.14 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
48. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 668.00 feet, the chord azimuth and distance being:
277° 00' 128.24 feet;
49. 271° 29' 30" 300.96 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
50. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 147.00 feet, the chord azimuth and distance being:
249° 30' 30" 110.06 feet;
51. 227° 31' 30" 488.28 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
52. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 269.99 feet, the chord azimuth and distance being:
215° 42' 15" 110.62 feet;
53. 203° 53' 31.96 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
54. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:
251° 41' 30" 44.45 feet;

55. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the right with a radius of 39.60 feet,
the chord azimuth and distance being:
322° 12' 30.56 feet;
56. 344° 54' 96.53 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
57. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the left with a radius of 90.00 feet,
the chord azimuth and distance being:
320° 29' 74.41 feet;
58. 296° 04' 68.43 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
59. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the left with a radius of 200.00 feet,
the chord azimuth and distance being:
281° 21' 50" 101.52 feet;
60. 266° 39' 40" 182.22 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
61. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the right with a radius of 42.00 feet,
the chord azimuth and distance being:
312° 05' 59.83 feet;
62. 357° 30' 20" 251.43 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
63. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the left with a radius of 114.00 feet,
the chord azimuth and distance being:
318° 33' 30" 143.32 feet;
64. 279° 36' 40" 85.35 feet along Lot 17258 (Map 1322) of Land
Court Application 1069;
65. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve
to the left with a radius of 128.00 feet,
the chord azimuth and distance being:
244° 32' 10" 147.11 feet;

66. 209° 27' 40" 90.39 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
67. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 99.84 feet, the chord azimuth and distance being:
229° 18' 05" 67.77 feet;
68. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 40.99 feet, the chord azimuth and distance being:
282° 32' 10" 44.94 feet;
69. 315° 37' 50" 67.22 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
70. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:
300° 58' 40" 86.01 feet;
71. 286° 19' 30" 48.80 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
72. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 180.01 feet, the chord azimuth and distance being:
299° 06' 50" 79.69 feet;
73. 311° 54' 10" 97.23 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
74. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:
295° 47' 40" 94.33 feet;
75. 279° 41' 10" 205.95 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
76. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 170.00 feet, the chord azimuth and distance being:
264° 47' 40" 87.38 feet;

77. 249° 54' 10" 417.82 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
78. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 79.99 feet, the chord azimuth and distance being: 269° 52' 50" 54.66 feet;
79. 289° 51' 30" 66.84 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
80. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 219.98 feet, the chord azimuth and distance being: 275° 46' 40" 107.04 feet;
81. 261° 41' 50" 223.32 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
82. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 166.00 feet, the chord azimuth and distance being: 235° 14' 10" 147.94 feet;
83. 208° 46' 30" 209.28 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
84. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 220.00 feet, the chord azimuth and distance being: 196° 37' 20" 92.63 feet;
85. 184° 28' 10" 113.68 feet along Lot 17258 (Map 1322) of Land Court Application 1069;
86. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the left with a radius of 132.00 feet, the chord azimuth and distance being: 164° 58' 50" 88.08 feet;
87. 145° 29' 30" 48.21 feet along Lot 17258 (Map 1322) of Land Court Application 1069;

88. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 80.09 feet, the chord azimuth and distance being:
168° 01' 15" 61.37 feet;
89. Thence along Lot 17258 (Map 1322) of Land Court Application 1069, on a curve to the right with a radius of 107.30 feet, the chord azimuth and distance being:
210° 24' 30" 72.90 feet;
90. 311° 06' 285.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
91. 0° 37' 880.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
92. 35° 36' 540.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
93. 6° 56' 375.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
94. 327° 37' 245.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
95. 339° 30' 485.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
96. 14° 02' 330.06 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
97. 5° 55' 266.33 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
98. 331° 34' 420.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
99. 347° 52' 215.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
100. 319° 47' 380.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
101. 355° 31' 386.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;

102.	42°	04'	910.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
103.	291°	28'	1,392.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
104.	34°	36'	255.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
105.	7°	06'	202.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
106.	36°	50'	325.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
107.	353°	16'	342.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
108.	14°	00'	577.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
109.	41°	10'	213.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
110.	12°	40'	364.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
111.	49°	54'	412.00 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
112.	12°	40'	399.91 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
113.	314°	15'	556.36 feet along Lot 16019 (Map 1251) of Land Court Application 1069;
114.	54°	26' 20"	318.80 feet along Lot 16890 (Map 1305) of Land Court Application 1069;
115.	341°	36' 30"	298.35 feet along Lot 16890 (Map 1305) of Land Court Application 1069;
116.	346°	22' 40"	114.56 feet along Lot 16890 (Map 1305) of Land Court Application 1069;

- | | | | |
|------|---|---------|---|
| 117. | 358° | 04' | 91.02 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 118. | 1° | 40' | 75.00 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 119. | 7° | 10' | 87.50 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 120. | 12° | 20' | 70.14 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 121. | 17° | 44' | 76.96 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 122. | 21° | 46' 40" | 363.18 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 123. | 15° | 23' | 228.66 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 124. | 11° | 06' 40" | 100.11 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 125. | 6° | 43' 30" | 698.38 feet along Lot 16890 (Map 1305) of Land Court Application 1069; |
| 126. | 101° | 18' | 469.55 feet along the Northerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069; |
| 127. | Thence along the Northerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069, on a curve to the right with a radius of 1,405.00 feet, the chord azimuth and distance being:
106° 21' 247.36 feet; | | |
| 128. | 111° | 24' | 1,020.90 feet along the Northerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069; |
| 129. | Thence along the Northerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069, on a curve to the left with a radius of 1,455.00 feet, the chord azimuth and distance being:
104° 05' 370.58 feet; | | |

130. 96° 46' 1,149.37 feet along the Northerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069 and along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
131. 104° 58' 50" 35.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
132. 96° 46' 150.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
133. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 2,356.83 feet, the chord azimuth and distance being:
108° 15' 49" 288.47 feet;
134. 106° 34' 50" 154.88 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
135. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 2,366.83 feet, the chord azimuth and distance being:
100° 45' 39" 20.17 feet;
136. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,130.91 feet, the chord azimuth and distance being:
100° 13' 51" 31.24 feet;
137. 93° 53' 55" 51.41 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
138. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,125.91 feet, the chord azimuth and distance being:
97° 56' 14" 122.26 feet;
139. 96° 46' 80.46 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));

140. 102° 28' 40" 50.25 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
141. 96° 46' 100.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
142. 85° 27' 25" 50.99 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
143. 96° 46' 350.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
144. 101° 23' 20" 198.04 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
145. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 1,830.28 feet, the chord azimuth and distance being:
100° 52' 52" 143.68 feet;
146. 107° 41' 20" 142.15 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
147. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 1,347.40 feet, the chord azimuth and distance being:
110° 35' 04" 94.05 feet;
148. 107° 31' 40" 47.38 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
149. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 1,352.40 feet, the chord azimuth and distance being:
116° 10' 32" 75.10 feet;
150. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 1,830.28 feet, the chord azimuth and distance being:
118° 04' 24" 19.59 feet;

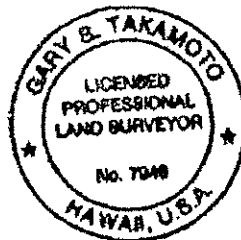
151. 107° 22' 10" 49.06 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
152. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 1,840.28 feet, the chord azimuth and distance being:
122° 49' 23" 189.01 feet;
153. 125° 46' 45.65 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
154. 133° 50' 314.56 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
155. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 598.00 feet, the chord azimuth and distance being:
112° 35' 433.48 feet;
156. 91° 20' 84.38 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
157. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 1,492.40 feet, the chord azimuth and distance being:
102° 40' 31" 174.00 feet;
158. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 1,970.28 feet, the chord azimuth and distance being:
98° 36' 38" 49.71 feet;
159. 101° 54' 20" 103.88 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
160. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 1,980.28 feet, the chord azimuth and distance being:
93° 23' 19" 103.66 feet;

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|------|---|-----|-----|--|
| 161. | 88° | 32' | 40" | 100.80 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)); |
| 162. | 91° | 20' | | 950.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)); |
| 163. | 94° | 11' | 45" | 100.12 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)); |
| 164. | 91° | 20' | | 200.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)); |
| 165. | 97° | 24' | 25" | 98.84 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)); |
| 166. | Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 2,103.03 feet, the chord azimuth and distance being:
95° 10' 21" 192.61 feet; | | | |
| 167. | 102° | 23' | 45" | 95.33 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)); |
| 168. | 114° | 02' | 48" | 270.31 feet along Lot 4022-A-2 (Map 467) of Land Court Application 1069; |
| 169. | 118° | 25' | | 468.00 feet along Lot 4022-A-2 (Map 467) of Land Court Application 1069; |
| 170. | 170° | 00' | | 525.00 feet along Lot 4022-A-2 (Map 467) of Land Court Application 1069; |

171. 118° 00'

535.00 feet along Lot 4022-A-2 (Map 467) of Land Court Application 1069, to the point of beginning and containing a gross area of 1,694.468 acre and a net area of 1,685.128 acre after deducting 4.853 acre of Lot 78-B (Map 105), 2.308 acre of Lot 4025 (Map 406) and 2.179 acre of Lot 4026 (Map 406) of Land Court Application 1069.

November 19, 2007
Honolulu, Hawaii



Gary S. Takamoto

Gary S. Takamoto
Licensed Professional Land Surveyor
Certificate Number 7946
License Expire 4/08

MAKAIWA HILLS BOUNDARY

LOT B

Being all of Lot 2681 as shown on Map 281 of Land Court Application 1069

Situate at Honouliuli, Ewa, Oahu, Hawaii

Beginning at the Northwest corner of this parcel of land and on the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAPUAI NEW", being 12,813.64 feet South and 10,693.76 feet West and running by azimuths measured clockwise from true South:

1. 276° 46' 1,114.18 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)) and the Southerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069;
2. Thence along the Southerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069, on a curve to the right with a radius of 1,405.00 feet, the chord azimuth and distance being: 284° 05' 357.86 feet;
3. 291° 24' 1,020.90 feet along the Southerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069;
4. Thence along the Southerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069, on a curve to the left with a radius of 1,455.00 feet, the chord azimuth and distance being: 286° 21' 256.16 feet;
5. 281° 18' 1,095.00 feet along the Southerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069;

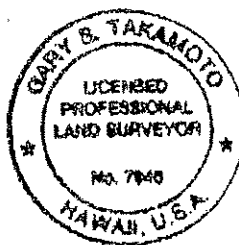
6. Thence along the Southerly side of Farrington Highway, Exclusion 1 of Land Court Application 1069, on a curve to the right with a radius of 425.00 feet, the chord azimuth and distance being:
309° 47' 405.36 feet;
7. 338° 16' 1,306.59 feet along the Southerly side of Farrington Highway Exclusion of Land Court Application 1069;
8. 347° 21' 10" 126.65 feet along the Westerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
9. 338° 16' 189.31 feet along the Westerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
10. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 70.00 feet, the chord azimuth and distance being:
26° 34' 104.53 feet;
11. 74° 52' 170.68 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
12. 71° 03' 10" 150.33 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
13. 74° 52' 95.30 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
14. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 580.00 feet, the chord azimuth and distance being:
82° 15' 11" 149.13 feet;
15. 97° 57' 30" 48.37 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
16. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 575.00 feet, the chord azimuth and distance being:
111° 07' 31" 330.68 feet;

17. 127° 44' 40" 57.94 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
18. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 1,739.34 feet, the chord azimuth and distance being:
135° 12' 37" 98.36 feet;
19. Thence the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the right with a radius of 2,342.71 feet, the chord azimuth and distance being:
139° 36' 05" 226.50 feet;
20. 142° 22' 20" 66.93 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
21. 148° 05' 50.25 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
22. 142° 22' 20" 150.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
23. 138° 33' 29" 150.33 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
24. 142° 22' 20" 14.58 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
25. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,120.91 feet, the chord azimuth and distance being:
141° 06' 10" 138.28 feet;
26. 229° 50' 20.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
27. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,140.91 feet, the chord azimuth and distance being:
139° 13' 40" 66.39 feet;

28. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 2,376.83 feet, the chord azimuth and distance being:
135° 40' 47" 244.02 feet;
29. 126° 35' 45" 52.03 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
30. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 2,371.83 feet, the chord azimuth and distance being:
128° 59' 14" 206.92 feet;
31. 121° 34' 50" 205.53 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
32. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,125.91 feet, the chord azimuth and distance being:
122° 02' 25" 45.62 feet;
33. 121° 37' 20" 955.40 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
34. 110° 18' 45" 50.99 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
35. 121° 37' 20" 400.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
36. 152° 35' 10" 58.31 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
37. 121° 37' 20" 305.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
38. 31° 37' 20" 30.00 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
39. 121° 37' 20" 870.30 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));

40. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,115.91 feet, the chord azimuth and distance being:
120° 55' 19" 76.16 feet;
41. 125° 20' 45" 51.25 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4));
42. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 3,120.91 feet, the chord azimuth and distance being:
118° 34' 42" 76.92 feet;
43. Thence along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), on a curve to the left with a radius of 2,356.83 feet, the chord azimuth and distance being:
117° 33' 49" 25.39 feet;
44. 207° 15' 18" 14.65 feet along the Northerly side of Farrington Highway (F. A. S. P. No. S-0900 (4)), to the point of beginning and containing an area of 95.885 acres.

November 19, 2007
Honolulu, Hawaii



Gary S. Takamoto
Gary S. Takamoto
Licensed Professional Land Surveyor
Certificate Number 7946
License Expire 4/08

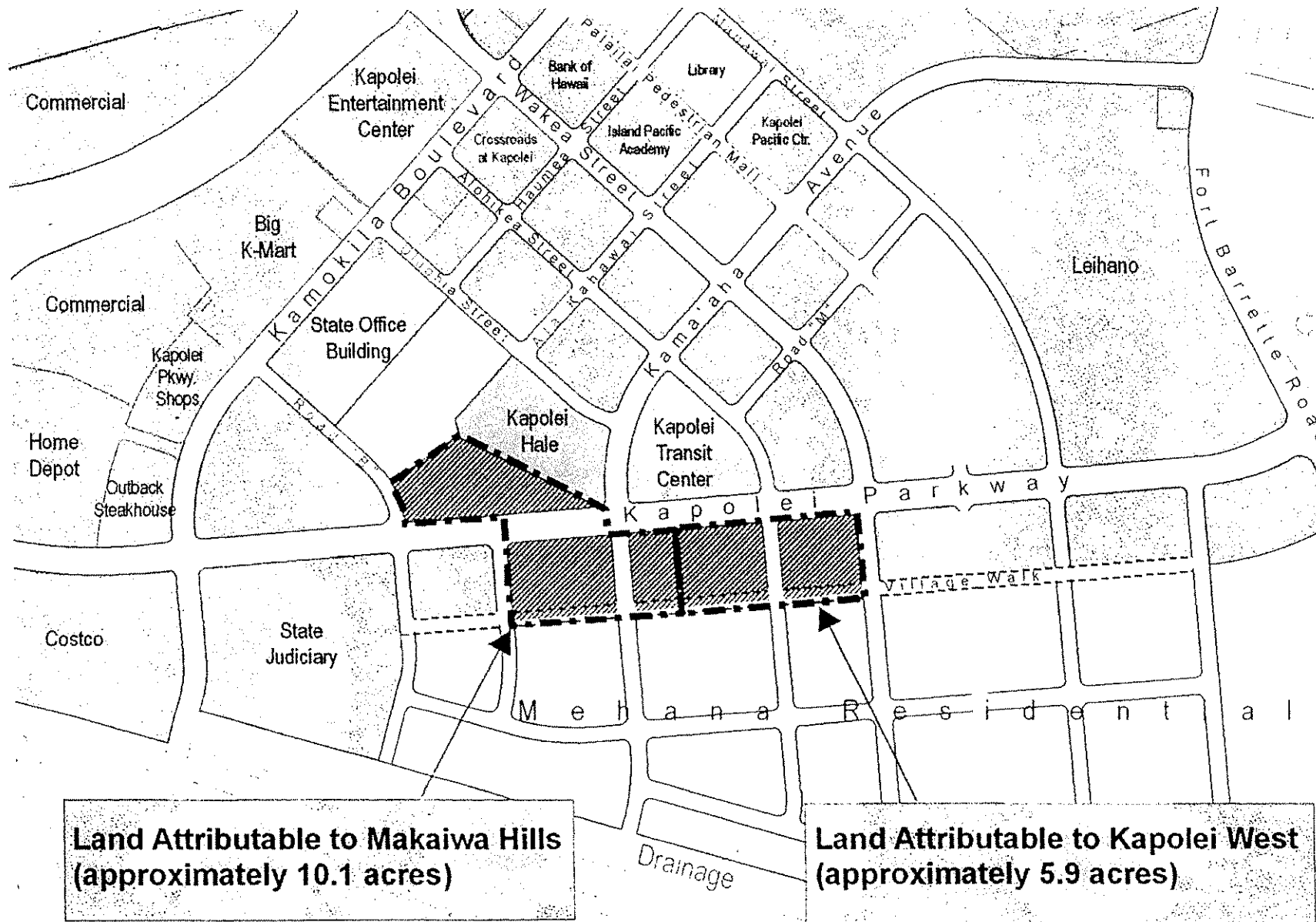


EXHIBIT C

All of those certain parcels of land situate at Honouliuli, City and County of Honolulu, Island of Oahu, State of Hawaii, more particularly described as follows:

LOT A:

Property Description	Map	Certificate of Title	Owner
Lot 77-B-6	Map 141	890,339	Makaiwa Hills LLC
Lot 4024	Map 406	792,995	Makaiwa Hills LLC
Lot 16893	Map 1309	825,917	Makaiwa Hills LLC
Lot 17257	Map 1322	839,022	Makaiwa Hills LLC

LOT B:

Property Description	Map	Certificate of Title	Owner
Lot 2681	Map 281	792,997	Makaiwa Hills LLC

End of Exhibit C